

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE**

To: Garnet Rolando Coria and Linda Klassen-Coria
“the Owners”

And To: All Occupant(s) of the following Housing premises:

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
Main Floor Suite of 10734 - 80 Avenue NW

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. A large panel on the bathroom door was on the verge of separating.
- b. The south (front) bedroom door in the main floor suite was on the verge of falling off.
- c. A number of window frames and sashes on the exterior of the building showed rot.
- d. There were cracks on the kitchen window and on the south (front) bedroom window in the main floor unit.
- e. Eleven out of the fifteen windows on the main floor were either not equipped with winter sashes or the sashes were damaged or broken.
- f. The back door entering to the main floor suite could not be locked.
- g. The windows in both bedrooms had openings that were too small for emergency egress.
- h. The metal guards at the front entrance were 29.5 inches in height with 4.75 inches of spacing between balusters. These guards did not meet the Alberta Building Code.
- i. The flooring in the laundry area was severely damaged. The concrete subfloor was crumbling.
- j. The dry wall next to the washing machine had been water damaged.
- k. The flooring in the main floor bathroom was peeling.
- l. The paint finish on the main floor bathroom ceiling was peeling particularly around the fan.
- m. The fan in the main floor bathroom was not working.
- n. The smoke alarm was not working in the main floor suite.
- o. The main floor kitchen counter where it joined with the sink was rotten.
- p. Mould could be seen on the dry wall next to the washing machine.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- i. Items (a & b) are in contravention of Section 1(c) of the Minimum Housing and Health Standards which states: *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- ii. Item (c) is in contravention of section 2(a) of the Minimum Housing and Health Standards which states: *“The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”*
- iii. Item (d) is in contravention of section 2 (b)(i) of the Minimum Housing and Health Standards which states: *“All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.”*
- iv. Item (e) is in contravention of section 2(b)(ii) of the Minimum Housing and Health Standards which states: *“In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”*
- v. Item (f) is in contravention of section 3(a) of the Minimum Housing and Health Standards which stated: *“Exterior windows and door shall be capable of being secured.”*
- vi. Item (g) is in contravention of section 3(b)(i)(ii) of the Minimum Housing and Health Standards which states: *“For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15”).”*
- vii. Item (h) is in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states: *“ Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be in good repair and shall comply with the requirements of Alberta Building Code or a Professional Engineer design.”*
- viii. Item (i & j) is in contravention of section 5 of the Minimum Housing and Health Standards which states: *“All walls, windows, ceilings, floor, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.”*
- ix. Items (k & l) are in contravention of section 5(a) of the Minimum Housing and Health Standards which states: *“Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.”*
- x. Item (m) is in contravention of section 7(c) of the Minimum Housing and Health Standards which states: *“All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”*
- xi. Item (n) is in contravention of sections 12 and 12(a) of the Minimum Housing and Health Standards which state: *“Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. Smoke alarms should be operational and in good repair at all times.”*

- xii. Item (o) is in contravention of section 14(a)(iii) of the Minimum Housing and Health Standards which states: “*Every housing premises shall be provided with a food preparation area, which includes a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.*”
- xiii. Item (p) is in contravention of section 5(2) of the Housing Regulation which states: “*No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.*”

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be CLOSED for Tenant Accommodation Purposes.

NOW THEREFORE, I hereby ORDER and DIRECT:

1. **That the occupants vacate the above noted premises on or before September 30, 2017.**
2. **That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:**
 - i. Repair or replace the bathroom and the south bedroom doors.
 - ii. Repair or replace the damaged/wooden window frames and sashes.
 - iii. Repair or replace all broken/cracked windows to render them in good weatherproof condition without cracks or defects.
 - iv. Install double-glazed windows that could provide adequate air ventilation and year round thermal protection.
 - v. Install a working lock on the back door to the main floor suite for security purposes.
 - vi. Install egress windows in both bedrooms. The windows should have unobstructed openings of at least 3.8 sqft with no dimensions less than 15 inches.
 - vii. Replace or retrofit the metal guards at the front entrance to comply with the Alberta Building Code.
 - viii. Repair or replace the flooring and moisture damaged walls in the laundry room.
 - ix. Repair the flooring and ceiling in the main floor bathroom.
 - x. Repair or replace the mechanical fan in the main floor bathroom.
 - xi. Install a working smoke alarm(s) in the main floor unit in and/or around sleeping areas; ensuring that they are operational and in good repair.
 - xii. Repair the damaged kitchen counter to render it in good condition, moisture resistant, and easy to clean.
 - xiii. Conduct a thorough mould assessment in the basement; remove all mouldy and moisture damaged materials. If the mould contamination is found to be greater than 100 sqft, in size, a professional mould remediation company would need to be involved.
3. **That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed for tenant accommodation purposes.**

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Edmonton, Alberta, September 12, 2017

_____(Original Signed)_____

Frances Fong, CPHI(C)
Public Health Inspector & Executive Officer

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and
 b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

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Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html